

Remarks

The following is a response to the Office Action dated January 2, 2004.

Per the above amendment, claims 1, 5-7 and 20 have been canceled. The subject matter of canceled claim 1 has been incorporated into claims 2 and 3, as well as allowed claim 4. In addition, allowed claim 13 has been amended to include the subject matter of the independent claim from which it depends.

The examiner has relied upon Kasai (JP 61048210) in combination with Timm et al. (US 5,890,061) for rejecting claims 1-3, 5-8, 20 and 22-23.

In light of the above amendment, the rejection of claims 1, 5-7 and 20 is believed to be moot.

The rejection of claims 2-3, 6, 17 and 21-22 as being obvious over the prior art is respectfully traversed as follows.

Dependent claim 2 defines the volume control circuit to inhibit a user from changing the volume level. There is nothing in the English Abstract of Kasai suggesting that the volume control circuit would inhibit a user from changing the volume level. As gleaned from the disclosure, it appears what Kasai teaches is to maintain a properly reproduced sound, without that sound being affected by ambient noises inside and outside of the cabin of the automobile. Kasai and Timm likewise fail to disclose or suggest any means for allowing a user to change the volume level in claim 3. The subject matters of claims 2-3 are therefore believed not to be obvious over the Timm/Kasai combination.

Claim 22 is believed to be patentable over the combination of Timm and Kasai inasmuch as neither Timm nor Kasai disclose the volume control circuit being maintained

at a predetermined constant level or higher during emergency reporting in response to a desired volume signal. There is the implication in Kasai of a "proper sound volume".

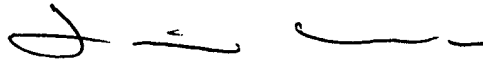
The remaining claims were rejected by the combination of Timm and Easley et al. (US 5,361,305).

It is respectfully submitted that the rejection based on Timm in combination with Easley is not sustainable inasmuch as Easley discloses a system for verifying the correct installation and functioning of an audio system in a vehicle, and specifically inspecting whether the individual speakers are functional. See column 1, lines 41-65. As disclosed in column 4, lines 7-50, the testing procedure of the audio system, according to the program flow chart provided by Figs. 3a and 3b, would test the function of each speaker of the system to determine if there is a failed speaker. Such testing of the functions of the speakers of the audio system of a automobile most likely is done at the time that the audio system was installed. See column 1, lines 17-19. Thus, to suggest that the teachings of Easley may be combined with the teachings of Timm for rejecting claims 9, 17 and 21 is not believed to be sustainable, insofar as each of those claims is directed to the audio system of a vehicle which already is being used as part of an emergency report system, which is well beyond the initial installation of the audio system. Moreover, in all of those claims, there is the feature that a malfunctioned speaker is to be replaced with another speaker of the audio system. In contrast, Easley only discloses the finding of a failed speaker during the installation process. There is no disclosure or suggestion in Easley of replacing a failed speaker with another speaker of the audio system. Most likely, for Easley, if a speaker fails during installation, that speaker is physically replaced by another brand new speaker, which is not the same as using a different speaker of the audio system that was already a part of the audio system.

Independent claims 9, 17 and 22, as well as the respective claims dependent therefrom, are therefore patentable over the prior art.

In view of the foregoing, the examiner is respectfully requested to reconsider the application and pass the same to issue at an early date.

Respectfully submitted,



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